

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(NORTHERN DIVISION)

DOREEN HENRY

*

Plaintiff,

*

Case No.: 1:23-cv-01285-SAG

v.

*

TERRANCE HALL, *ET AL.*

*

Defendants.

*

* * * * *

ORDER

UPON REVIEW AND CONSIDERATION of Plaintiff's Motion to Compel and for Contempt/Sanctions ("Motion"), and any responses and replies filed thereto, it is this ____ day of _____, 2024, hereby:

ORDERED, that the Plaintiff's Motion is **GRANTED**; and it is further

ORDERED, that Plaintiff's Request for Admissions served on Defendants shall each be deemed as admitted for failure to comply with Rule 36(a)(3) of the Federal Rules of Civil Procedure; and it is further

ORDERED, that

- ☐ default judgment shall be entered against Defendants for their complete failure to provide timely Answers to Interrogatories, Responses to Requests for Production of Documents, Responses to Requests for Admissions, and responsive documents; OR

- Plaintiff shall be permitted to file a motion for summary judgment within thirty (30) days of this Order deeming the Requests for Admissions as admitted by Defendants;

and is further

ORDERED, that the matters and facts sought to be discovered by Plaintiff shall be taken to be established in favor of the claims of the Plaintiff; and it is further

ORDERED, that Defendants Mr. Hall and Mrs. Hall shall be prohibited from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence; and it is further

ORDERED, that Defendants Mr. Hall and Mrs. Hall's pleadings shall be stricken or parts thereof; and it is further

ORDERED, that pursuant to Rule 37(d)(3) of the Federal Rules of Civil Procedure, Defendants shall reimburse Plaintiff all reasonable expenses and attorneys' fees incurred in response to Defendants' discovery failure and that Plaintiff may file, within thirty (30) days of this Order, a petition to establish the amount of such fees accordingly;

OR, IN THE ALTERNATIVE, it is hereby

ORDERED, that the Defendants shall provide full and complete discovery Answers to Interrogatories, Responses to Requests for Production of Documents, Responses to Requests for Admissions, and responsive documents, to the Plaintiff no later than five (5) days from the date of entry of this Order; and it is further

ORDERED, that the depositions of Defendants shall take place within thirty (30) days of Plaintiff receiving such discovery from Defendants; and it is further

ORDERED, that failure of Defendants to provide full and complete discovery Answers to Interrogatories, Responses to Requests for Production of Documents, Responses to Requests for Admissions, and responsive documents, to the Plaintiff no later than five (5) days from the date of this Order, shall result in default judgment against the Defendants on all claims plead in favor of the Plaintiff(s); and it is further

ORDERED, that failure of the Defendants to comply with this Order shall result in the matters sought to be discovered by Plaintiff being established in favor of the claims of the Plaintiff, that Defendants shall be prohibited from supporting or opposing designated claims or defenses, that Defendants shall be prohibited from introducing designated matters to support their claims and/or defenses into evidence, and that Defendants' pleadings shall be stricken or parts thereof; and it is further

ORDERED, that pursuant to Rule 37(d)(3) of the Federal Rules of Civil Procedure, Defendants shall reimburse Plaintiff all reasonable expenses and attorneys' fees incurred in response to Defendants' discovery failure and that Plaintiff may file, within thirty (30) days of this Order, a petition to establish the amount of such fees accordingly.

Stephanie A. Gallagher,
United States District Judge